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DE RUEHPU #0202/01 0511904
ZNY CCCCC ZZH
P 201904Z FEB 09
FM AMEMBASSY PORT AU PRINCE
TO RUEHC/SECSTATE WASHDC PRIORITY 9652
INFO RUEHZH/HAITI COLLECTIVE PRIORITY
RUEHBR/AMEMBASSY BRASILIA PRIORITY 2232
RUEHMN/AMEMBASSY MONTEVIDEO PRIORITY 0320
RUEHSA/AMEMBASSY PRETORIA PRIORITY 1974
RHEFDIA/DIA WASHINGTON DC PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 03 PORT AU PRINCE 000202

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SUBJECT: REJECTED HAITIAN SENATE CANDIDATES PROTEST THEIR
EXCLUSION

REF: A. PORT AU PRINCE 122

[1](#)B. PORT AU PRINCE 177

Classified By: Amb. Janet A. Sanderson for reasons 1.4 (b) and (d)

[1](#)1. (C) Summary: Supporters of Fanmi Lavalas continue to protest their exclusion from the upcoming Senate elections. Several dozen people gathered in Les Cayes February 18 to demand the return of party leader Jean-Bertrand Aristide, and two of the party's lawmakers called for 'peaceful resistance' to the electoral council's February 16 announcement that the appeals of rejected Lavalas candidates had been denied. Meanwhile, unknown men apparently associated with suspected drug trafficker and rejected Senate candidate Guy Philippe vandalized an electoral authority office in Grand'anse and carted away furniture. Despite continued outcry over the exclusion of Lavalas, the electoral council is moving forward with preparations for the April balloting, preparing to solicit tenders for the printing of ballots and purchasing necessary equipment. End summary.

PROTEST IN LES CAYES, VANDALISM IN PESTEL

[1](#)2. (SBU) Lavalas partisans organized a small demonstration in Les Cayes February 18 to protest their party's exclusion from the upcoming Senate elections (ref A). The protestors also called for the return of the leader of Fanmi Lavalas (FL), former President Jean-Bertrand Aristide. In a separate event the same day, unknown perpetrators sacked a regional electoral office of Pestel, in Grand'anse, according to a press report. The men claimed to be affiliated with the National Front for Reconstruction (FRN), the political party of rejected Senate candidate (and suspected drug trafficker) Guy Philippe. They subsequently told the media that carrying away the office furniture was their way of reimbursing themselves for expenses incurred supporting Philippe's campaign. Philippe's associates were also rumored to be responsible for intermittent roadblocks between the southern towns of Jeremie and Les Cayes the week of February 16.

LAVALAS RENEWS CALLS FOR DEMONSTRATIONS

[1](#)3. (C) Both Lavalas moderates and hardliners have signaled that more protests may be on the way, although perhaps not before Carnival festivities conclude February 24. Two Lavalas members of the Chamber of Deputies, Jean Roland Boisrond (South) and Paul Olivard Richard (South) called

February 18 for a ''movement of peaceful resistance'' to protest the party's exclusion from the elections, according to a press report. Mario Andresol, Director General of the Haitian National Police (HNP), told RSO February 19 that some demonstrations may occur after Carnival, but Andresol did not appear overly concerned. Jonas Coffy (West), a leading FL moderate, told Poloff February 20 that he was not aware of any specific plans for protests in the coming days.

14. (C) In addition, Senator Yvon Buissereth (Lavalas, South) made waves in political circles by suggesting that a Lavalas-led group of Senators may use the Senate's internal rules to block newly-elected Senators from joining the body. Given the fragility of the quorum in the Senate's current state, Buissereth calculated that only three Senators would be needed. Deputy Coffy told Poloff February 20 that Senator Buissereth and his colleague Rudy Heriveaux (West) -- the only two Lavalas Senators -- were actively seeking a third Senator to join them in a possible effort to block the acceptance of newly elected Senators. Anacacis Jean Hector (Lespwa, West) was a natural choice, Coffy said, because he and Buissereth often work together in the Senate. So far we have not detected any support for Buissereth's initiative outside of Lavalas, and Senate President Bastien told the Ambassador February 18 that he is working behind the scenes to avert any effort to block the seating of new Senators.

HARDLINERS BACKTRACK, INDICATE DESIRE FOR INCLUSION

15. (SBU) Lavalas hardliner Maryse Narcisse clarified the FL
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Executive Committee's stance on the elections during a press conference February 18, underlining her party's continued desire to participate in the elections and intention to dispute the CEP's rejection of Lavalas candidates. She said commentators had interpreted incorrectly a February 16 communique (ref B) she issued in Aristide's name in which she denounced the elections as a ''continuation'' of the 2004 ''coup d'etat'' that led to the former President's departure. Lavalas ''is still ready to participate in free, honest, and democratic elections,'' according to Narcisse. A lawyer accompanying Narcisse said that, if need be, the party would take its case to the Inter-American Court of Human Rights.

LITTLE MAINSTREAM SUPPORT FOR LAVALAS'S MANEUVERS

16. (SBU) Narcisse's earlier February 16 message appeared to erode mainstream sympathy for Lavalas's position, as prominent politicians concluded that the party's leaders did not want to be included in the elections after all. OPL President Edgar Leblanc Fils put the blame squarely on Aristide for not endorsing his party's candidates, telling the press February 17 that the statement in Aristide's name had effectively disavowed the candidates that Maryse Narcisse had presented. Senate Vice President Andris Riche (OPL, Grand'anse) said the same day that Aristide clearly did not want his party to participate in the elections. Deputy Jean Marcel Lumerant (Alyans, West), whose party is not fielding candidates in the election, said that divisions in FL left the CEP no choice but to deny its candidates spots on the ballot. Senate President Kely Bastien (Lespwa, North) told the Ambassador that the CEP had a legitimate legal basis for the exclusion of Lavalas, given that the FL candidates did not have the formal authorization of their party's leader to participate in the elections, although he did believe privately that the decision was ill-advised. In civil society, Civil Society Initiative director Rosny Desroches told the press February 17 that Aristide's failure to endorse his party's candidates, and his party's failure to agree on a common list, justified the CEP ruling to exclude their candidates.

17. (SBU) Taking an extreme position on the opposite side,

Senator Anacacis Jean Hector criticized the CEP for not attempting to reconcile the feuding wings of Fanmi Lavalas. He declared February 17 that the elections, if they happened on April 19 at all, would not be ''transparent, credible, or legitimate.'' A previous supporter of a combined round of Senate and Chamber of Deputies elections in late 2009, he quipped that President Preval wants these elections only to ensure that he can undertake constitutional reform ''following the example of presidents Hugo Chavez and Rafael Correa.'' In a private meeting with the Ambassador February 18, Chamber of Deputies President Levaillant Louis-Jeune (Fusion, Artibonite) said that while the CEP may have had the law on its side, a political decision was needed to allow some FL candidates to run. Lavalas enjoys a certain amount of popular support, he said, and the party's supporters deserved the right to vote their preference in elections. National Human Rights Defense Network (RNDDH) Director Pierre Esperance criticized the CEP ruling as a politically motivated decision that would tarnish the Senate elections.

ELECTORAL COUNCIL CONTINUES PREPARATIONS

18. (C) CEP Director General Pierre-Louis Opont announced February 18 that the CEP would continue with electoral preparations, including a tender for ballot printing and the purchase of necessary equipment. However, some observers have expressed concerns that little progress has been made on updating the register of eligible electors. While the electoral law provides that new registrations should not be accepted within 60 days of an election, that deadline came and went February 18 with few visible efforts to register potential voters who may have moved to a new department or come of voting age since the last election in 2006. The OAS and some international donors are concerned about the problem, according to a Canadian Embassy political officer. Prime Minister Michele Pierre-Louis pledged February 19 her

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government's logistical and financial support. She made no direct reference to the Lavalas controversy but did add that the CEP would continue to operate without government interference.

COMMENT

19. (C) It is not yet clear to what extent the protests promised by Lavalas will actually materialize, if at all. Both MINUSTAH and the HNP have been more visible lately, a move that may have discouraged protest organizers. Most Embassy contacts believe Lavalas will not be able to muster much support, although Bastien worried about small violent elements of the party causing disruptions. While opinion on the Lavalas question is divided, much of the Haitian political class considers that the disorder within Lavalas -- and the failure of Aristide to intervene in his own party's internal disputes -- is at least partially to blame for the situation in which the party finds itself.

SANDERSON